

**PROCEEDINGS OF THE WAUKESHA COUNTY BOARD OF SUPERVISORS**  
**Tuesday, March 28, 2006 – 9:00 a.m.**

Chairman Dwyer called the meeting to order.

Roll Call: Behrend, Bruce, Bullermann, Cummings, Dwyer, Gundrum, Harenda, Haukohl, Herro, Hutton, Jaske, Jeskewitz, Kallin, Kipp, Klein, Kolb, Kramer, Manke, Marchese, Mitchell, B. Morris, J. Morris, Nilson, Paulson, Pavelko, Roncke, Seitz, Singert, Stamsta, Swan, Thelen

The following Supervisors notified the Chairman they would be absent: Wolff, Broesch, Stroud

Supervisor Tortomasi notified the Chairman she would be late.

There were the following public comments:

Dorothy Boxhorn, Information about 4-H

Maury Sullivan, Con, Ordinance 160-O-118

Deborah Hilser, Con, Ordinance 160-O-118

Claudine Setzke, Con, Resolution 160-R-019, JBJ Development

Troy Fullerton, Pro, Ordinance 160-O-117

Peter Gross, Pro, Resolution 160-R-019, Gross Petition

Chris Lufter, Pro, Ordinance 160-O-117

David Wadd, Pro, Ordinance 160-O-117

Joe Snyder, Con, Ordinance 160-O-118

Robert Flessas, Pro, Resolution 160-R-019

The following registered, in favor of Resolution 160-R-019 but did not wish to speak:

Robert J. Kluwin, Herb Gross

The County Clerk announced the County Executive signed all ordinances and resolution from the March 14, 2006 Board meeting. All Supervisors received notice of one claim filed.

**Resolution 160-R-019** was presented for action. (Year 2006 Amendments To The Waukesha County Development Plan)

Supervisor Kolb moved to adopt Resolution 160-R-019. Supervisor Jaske seconded the motion.

Chairman requested items to be pulled for separate discussion.

The Board was polled on items 1A-6A (excluding 1B) and thirty (30) votes were cast.

Supervisor Herro voice voted “aye” as his light was not on. The motion carried 31 ayes – 0 no.

1B. – JBJ Development Company

Supervisor Harenda moved to amend item 1B, subparagraph 1. by deleting “64” and inserting “60”.

Supervisor Cummings seconded the motion.

Supervisor Haukohl moved to refer item 1B. to the Park and Planning Commission. Supervisor Marchese seconded the motion.

Supervisor Klein left the room.

Supervisor Jaske moved to call for the question. Supervisor Stamsta seconded the motion. The Board was polled and thirty (30) votes were cast. Supervisors Harenda, J. Morris, Mitchell, Kolb, Cummings, Pavelko, Manke, Kramer and Singert, nine (9) in all voted “no”. The rest, twenty-one (21) voted “aye”. The motion carried.

The Board was polled on the 1B. and thirty (30) votes were cast. Supervisors Harenda, Behrend, Kolb, Pavelko and Kramer, five (5) in all voted “no”. The rest, twenty-five (25) voted “aye”. The motion carried.

Supervisor Klein returned.

Supervisor Tortomasi arrived.

7. C.4. Town of Brookfield - The Board was polled and thirty-two (32) votes were cast, all “nays”. The amendment was defeated.

7. C.8. Town of Brookfield - The Board was polled and thirty-two (32) votes were cast. Supervisors Herro, Stamsta, Marchese, Jeskewitz, Haukohl, J. Morris, Swan, Behrend, Mitchell, Kolb, Tortomasi, Cummings, Paulson, Bullermann, Seitz, Thelen, Hutton, Dwyer, Roncke, Kallin, Manke, B. Morris, Kipp, Bruce, Kramer, Klein, Jaske, Nilson, Gundrum and Singert, thirty (30) in all voted “no”. The rest, two (2) voted “aye”. The amendment was defeated.

7.C.16A. Town of Brookfield – The Board was polled and thirty-two (32) votes were cast. Supervisors Herro, Stamsta, Marchese, Jeskewitz, Haukohl, J. Morris, Swan, Behrend, Mitchell, Kolb, Tortomasi, Cummings, Paulson, Bullermann, Pavelko, Seitz, Thelen, Hutton, Dwyer, Roncke, Manke, B. Morris, Kipp, Bruce, Klein, Jaske, Nilson, Gundrum and Singert, twenty-nine (29) in all voted “no”. The rest, three (3) voted “aye”. The amendment was defeated.

8.B. Town of Delafield - The Board was polled and thirty-two (32) votes were cast. Supervisors Herro, Stamsta, Marchese, Haukohl, Cummings, Pavelko, Hutton, Klein and Jaske, nine (9) in all voted “no”. The rest, twenty-three (23) voted “aye”. The amendment was adopted.

9.D. Town of Lisbon – The Board was polled and thirty-two (32) votes were cast. Supervisors Herro, Stamsta, Marchese, Jeskewitz, Haukohl, Harenda, J. Morris, Swan, Behrend, Mitchell, Tortomasi, Cummings, Paulson, Bullermann, Pavelko, Seitz, Thelen, Hutton, Dwyer, Roncke, Kallin, Manke, B. Morris, Kipp, Bruce, Kramer, Klein, Jaske, Nilson, Gundrum and Singert, thirty-one (31) in all voted “no”. The rest, one (1) voted “aye”. The amendment was defeated.

9. E. Town of Lisbon. – Supervisor Kipp moved to amend the resolution by deleting SRD-1 and inserting RRD. Supervisor Haukohl seconded the motion.

Supervisor Kipp made a friendly amendment to her amendment to change from RRD to RDROAL.

Supervisor Kipp moved to withdraw her motion. Motion dies without the consent of the second.

Supervisor Kolb requested privilege of the floor for Dick Mace, Parks and Land Use. There were no objections.

Supervisor Kipp moved to withdraw her amendment with the consent of the second.

9.E. Town of Lisbon – The Board was polled and thirty-two (32) votes were cast. Supervisors Herro, Stamsta, Marchese, Haukohl, Behrend, Mitchell, Tortomasi, Cummings, Paulson, Bullermann, Thelen, Hutton, Dwyer, Roncke, Kallin, Kipp, Bruce, Klein, Jaske, Nilson and Singert, twenty-one (21) in all voted “no”. The rest, eleven (11) voted “aye”. The amendment was defeated.

**Ordinance 160-O-126** was presented for action. (Amendments To The Text Of The Town Of Summit Zoning Code To Accommodate The Regulation Of Hobby Kennels For Dogs And Other Confined Hobby Animals (ZT-1579A))

Supervisor Kolb moved to adopt Ordinance 160-O-126. Supervisor B. Morris seconded the motion.

Supervisor Marchese left the room.

The Board was polled on Ordinance 160-O-126 and thirty-one (31) votes were cast, all “aye”. The ordinance was adopted.

**Ordinance 160-O-127** was presented for action. (Amend The Text Of The Town Of Delafield Zoning Code By Repealing And Recreating Section 17.05 5. AO, Regarding Allowing Riding Academies Or Commercial Stables As Conditional Uses (ZT-1606))

Supervisor Kolb moved to adopt Ordinance 160-O-127. Supervisor Behrend seconded the motion. The Board was polled and thirty-one (31) votes were cast, all “aye”. The ordinance was adopted.

**Ordinance 160-O-128** was presented for action. (Amend The Zoning District Map Of The Town Of Delafield Zoning Ordinance And The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Delafield, By Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 15, T7N, R18E, Town Of Delafield, Waukesha County, Wisconsin, From The A-2 Rural Home District (Town And County) To The R-2 Residential District (Town And County) With A PLO Pewaukee Lake Non Shoreland Redevelopment Overlay District (Town) (SZT-1501A))

Supervisor Marchese returned.

Supervisor Kolb moved to adopt Ordinance 160-O-128. Supervisor Kramer seconded the motion. The Board was polled and thirty-two (32) votes were cast, all “nay”. The ordinance was defeated.

**Ordinance 160-O-129** was presented for action. (Amend The Town Of Vernon District Zoning Map Of The Waukesha County Zoning Code For The Town Of Vernon By Conditionally Rezoning Certain Lands Located In Part Of The NE ¼ Of Section 3, T5N, R19E, Town Of Vernon, From The R-1a Residential, RRD-5 Rural Residential Density District 5 And The A -5 Mini Farm Districts To The R-1 Residential District (CZ-1601))

Supervisor Kolb moved to adopt Ordinance 160-O-129. Supervisor Singert seconded the motion. The Board was polled and thirty-two (32) votes were cast, all “aye”. The ordinance was adopted.

Chairman Dwyer declared a recess.

Supervisor Nilson left the meeting.

Supervisor Hutton was absent.

**Ordinance 160-O-130** was presented for action. (Approval Of Sale Of Waukesha Flying Services, Inc. From John W. Lotzer To Trajen Flight Support, LP.)

Supervisor Manke moved to adopt Ordinance 160-O-130. Supervisor Bruce seconded the motion.

Supervisor Hutton returned.

The Board was polled and thirty-one (31) votes were cast, all “aye”. The ordinance was adopted.

**Ordinance 160-O-131** was presented for action. (Establishment Of Speed Zone – CTH VV )

Supervisor Manke moved to adopt Ordinance 160-O-131. Supervisor Jeskewitz seconded the motion. The Board was polled and thirty-one (31) votes were cast. Supervisors Kolb, Hutton, Stamsta, Kramer and Gundrum, five (5) in all voted “no”. The rest, twenty-six (26) voted “aye”. The ordinance was adopted.

**Ordinance 160-O-132** was presented for action. (Laying Out, Relocation And Improvement Of County Trunk Highway P, Dodge County Project, Project I.D. 313.067(D), 500 Feet South Of The South Dodge County Line – Town Of Oconomowoc, Waukesha County)

Supervisor Manke moved to adopt Ordinance 160-O-132. Supervisor Jeskewitz seconded the motion. The Board was polled and thirty-one (31) votes were cast. Supervisors Cummings, Klein and Herro, three (3) in all voted “no”. The rest, twenty-eight (28) voted “aye”. The ordinance was adopted.

**Ordinance 160-O-133** was presented for action (Repeal And Recreate Waukesha County Code Of Ordinances To Increase 2006 Fees For Right Of Way Permits)

Supervisor Manke moved to adopt Ordinance 160-O-133. Supervisor Haukohl seconded the motion. The Board was polled and thirty-one (31) votes were cast. Supervisors Kipp, Gundrum and Singert, three (3) in all voted “no”. The rest, twenty-eight (28) voted “aye”. The ordinance was adopted.

**Ordinance 160-O-139** was presented for action. (Modify Scope And Appropriate Funds For The Capital Project 200427 Signal And Safety For The Construction Of Traffic Signals And Additional Turn Lanes CTH P, CTH Z—Intersection City Of Oconomowoc, Waukesha County

Supervisor Manke moved to adopt Ordinance 160-O-139. Supervisor Thelen seconded the motion. The Board was polled and thirty-one (31) votes were cast, all “aye”. The ordinance was adopted.

**Ordinance 160-O-135** was presented for action. (Accept Edward Byrne Memorial Justice Assistance Program Grant Award (2006) And Appropriate These Funds To The Sheriff’s 2006 Budget)

Supervisor Mitchell moved to adopt Ordinance 160-O-135. Supervisor Cummings seconded the motion. The Board was polled and thirty-one (31) votes were cast, all “aye”. The ordinance was adopted.

**Ordinance 160-O-136** was presented for action. (Amend 2006 Sheriff’s Department Budget Expenditure Of Seized Funds – March, 2006)

Supervisor Mitchell moved to adopt Ordinance 160-O-136. Supervisor Tortomasi seconded the motion. The Board was polled and thirty-one (31) votes were cast, all “aye”. The ordinance was adopted.

**Ordinance 160-O-137** was presented for action. (Appropriate Additional State Revenues Passed Through Milwaukee County For Mental Health Crisis Service Expansion Expenditure Authority In The Waukesha County Department Of Health And Human Services 2006 Budget)

Supervisor Jeskewitz moved to adopt Ordinance 160-O-137. Supervisor Kallin seconded the motion. The Board was polled and thirty-one (31) votes were cast, all “aye”. The ordinance was adopted.

Supervisor Paulson moved to adopt the 2005 Annual Report of the County Clerk. Supervisor Bruce seconded the motion. The Board was polled and thirty-one (31) votes were cast, all “aye”. The motion carried.

Supervisor Haukohl moved to accept the 2005 Annual Report of the County Treasurer’s Office. Supervisor Marchese seconded the motion. The Board was polled and thirty-one (31) votes were cast, all “aye”. The motion carried.

**Ordinance 160-O-138** was presented for action. (Authorize The Issuance Of Not To Exceed \$12,000,000 General Obligation Promissory Notes For Capital Projects)

Supervisor Haukohl moved to adopt Ordinance 160-O-138. Supervisor Stamsta seconded the motion. The Board was polled and thirty-one (31) votes were cast, all “aye”. The ordinance was adopted.

Supervisor Manke moved to approve the appointment of Rev. Allan A. Jahneke to the Ethics Board. Supervisor Bullermann seconded the motion. The Board was polled and thirty-one (31) votes were cast, all “aye”. The ordinance was adopted.

**Ordinance 160-O-134:** Modify Use Of Planning Funds For Justice Facility Phase II Project

No Action by the Board on Ordinance 160-O-134.

Consider the ordinances listed below and consider modifications and alternatives as recommended by the Executive Committee.

**Ordinance 160-O-117:** Amend the Waukesha County Code to Repeal and Recreate Sections Regarding Establishing and Creating Nineteen Supervisory Districts in Waukesha County

No Action by the Board on Ordinance 160-O-117.

**Ordinance 160-O-118** was presented for action (Amend the Waukesha County Code to Repeal and Recreate Sections Regarding Establishing and Creating Twenty-Five Supervisory Districts in Waukesha County)

Supervisor Manke moved to adopt Ordinance 160-O-118. Supervisor Kallin seconded the motion.

Supervisor Singert moved to table Ordinance 160-O-118. Supervisor Haukohl seconded the motion. The Board was polled and thirty-one (31) votes were cast. Supervisors Marchese, Haukohl, Harenda, Swan, Behrend, Mitchell, Kolb, Tortomasi, Paulson, Seitz, Thelen, Dwyer, Roncke, Kallin, Manke, B. Morris, Kipp and Bruce, eighteen (18) in all voted “no”. The rest, thirteen (13) voted “aye”. The motion was defeated.

Supervisor Gundrum left the meeting.

Supervisor Harenda moved to amend Ordinance 160-O-118 by reducing the number of Supervisors from twenty-five (25) to nineteen (19). Supervisor Kramer seconded the motion.

Supervisor Kallin moved to amend the amendment to switch the map to Version 19-1 (map 1). Supervisor Cummings seconded the motion.

The Board was polled on the amendment to the amendment and thirty (30) votes were cast. Supervisors Stamsta, Marchese, Jeskewitz, Haukohl, Swan, Mitchell, Kolb, Tortomasi, Cummings, Paulson, Seitz, Thelen, Roncke, Manke, B. Morris, Kipp, Kramer, Klein and Singert, nineteen (19) in all voted “no”. The rest, eleven (11) voted “aye”. The motion was defeated.

Supervisor Klein left the room.

Supervisor Manke moved to call for the question. Supervisor Seitz seconded the motion. The Board was polled and thirty (30) votes were cast. Supervisors Marchese, Mitchell, Cummings,

Pavelko, Seitz, Thelen, Kallin and Singert, eight (8) in all voted “no”. The rest, twenty-two (22) voted “aye”. The motion carried.

The Board was polled on the amendment to reduce to nineteen (19) Supervisors with Version 2 Map and thirty (30) votes were cast. Supervisors Herro, Stamsta, Marchese, Jeskewitz, Haukohl, Mitchell, Kolb, Tortomasi, Cummings, Paulson, Seitz, Thelen, Dwyer, Roncke, Kallin, Manke, B. Morris, Kipp, Bruce, Klein and Jaske, twenty-one (21) in all voted “no”. The rest, nine (9) voted “aye”. The amendment was defeated.

Supervisor Jeskewitz moved to refer Ordinance 160-O-118 to committee for more information. Supervisor Klein seconded the motion.

Supervisor Haukohl moved to call for the question. Supervisor Kramer seconded the motion. The Board was polled and thirty (30) votes were cast. Supervisors Herro, Marchese, Harenda, Mitchell, Kolb, Cummings, Bullermann, Pavelko, Seitz, Thelen and Singert, eleven (11) in all voted “no”. The rest, nineteen (19) voted “aye”. The motion was defeated.

The Board was polled on the motion to refer to committee and thirty (30) votes were cast. Supervisors Herro, Harenda, Swan, Behrend, Mitchell, Kolb, Tortomasi, Paulson, Bullermann, Pavelko, Seitz, Dwyer, Kallin, Kipp, Bruce and Singert, sixteen (16) in all voted “no”. The rest, fourteen (14) voted “aye”. The motion was defeated.

Chairman Dwyer declared a recess.

Supervisor Herro moved to amend Ordinance 160-O-118 to include Map Version 1. Supervisor B. Morris seconded the motion.

Supervisor Cummings moved to refer Ordinance 160-O-118 to the Executive Committee to allow Supervisors the opportunity to talk to their municipalities. Supervisor Haukohl seconded the motion.

Supervisor Harenda moved to call for the previous question. Supervisors Kramer, Bullermann, Swan, Herro and Bruce seconded the motion.

The Board was polled and thirty (30) votes were cast. Supervisors Marchese, Haukohl, Mitchell, Cummings, Seitz, Manke and Singert, seven (7) in all voted “no”. The rest, twenty-three (23) voted “aye”. The motion carried.

The Board was polled on the amendment to include Map Version 1 and thirty (30) votes were cast. Supervisors Stamsta, Marchese, Mitchell, Tortomasi, Paulson, Pavelko, Dwyer, Roncke, Kallin, Kipp and Singert, eleven (11) in all voted “no”. The rest, nineteen (19) voted “aye”. The amendment was adopted.

Supervisor Manke moved to call for the question. Supervisor Harenda seconded the motion. The Board was polled and thirty (30) votes were cast. Supervisors Marchese, Mitchell, Cummings, Kipp and Singert, five (5) in all voted “no”. The rest, twenty-five (25) voted “aye”. The motion carried.

The Board was polled on Ordinance 1600- 118 with Map Version 1 and thirty (30) votes were cast. Supervisors Stamsta, Marchese, Haukohl, J. Morris, Cummings, Pavelko, Seitz, Thelen, Hutton, Dwyer, Manke, Kipp, Kramer, Klein, Jaske and Singert, sixteen (16) in all voted “no”. The rest, fourteen (14) voted “aye”. The ordinance was defeated.

Supervisor Herro moved to adjourn to Tuesday, April 11, 2006 at 7:00 p.m. or at the call of the County Board Chair. Supervisor Cummings seconded the motion and it carried by a voice vote unanimously.

The Board adjourned at 2:58 p.m.

Respectfully submitted,

Kathy Nickolaus  
County Clerk